



State Water Resources Control Board

February 19, 2019

Lakeshore Resort
Water System No. 1000172

Stephen Sherry, Owner
P.O. BOX 197
Lakeshore, CA 93634

**CITATION NO. 03-23-19C-038
TOTAL COLIFORM MONITORING AND REPORTING VIOLATIONS
FOR 3rd QUARTER AND 4th QUARTER 2018**

Enclosed is Citation No. 03-23-19C-038 (hereinafter "Citation"), issued to the Lakeshore Resort (hereinafter "System") public water system. Please note that there are legally enforceable deadlines associated with this Citation.

The System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued by the Deputy Director of the Division of Drinking Water under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Mariadela Hurtado Brown of my staff at 559-447-3300.

Sincerely,

A handwritten signature in blue ink, appearing to read 'José A. Robledo', is written over the printed name.

José A. Robledo, P.E.
Senior Water Resource Control Engineer Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Enclosures

Certified Mail No. 7016 3010 0000 0446 2178

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Lakeshore Resort

Water System No: 1000172

Attention: Stephen Sherry, Owner
P.O. BOX 197
Lakeshore, CA 93634

Issued: February 19, 2019

CITATION FOR NONCOMPLIANCE WITH
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND
CALIFORNIA CODE OF REGULATIONS, TITLE 22
SECTIONS 64423 AND 64423.1(c)

TOTAL COLIFORM MONITORING AND REPORTING VIOLATION
3rd QUARTER AND 4th QUARTER 2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

1 The State Water Board, acting by and through its Division of Drinking Water
2 (hereinafter "Division"), and the Deputy Director for the Division, hereby
3 issues Citation No. 03-23-19C-038 (hereinafter "Citation"), pursuant to
4 Section 116650 of the CHSC to Lakeshore Resort (hereinafter "System"), for
5 violation of CHSC, Section 116555(a)(1) and California Code of Regulations
6 (hereinafter "CCR"), Title 22, Sections 64423 and 64423.1(c).

7
8 Applicable statutes and regulations can be found at:

9 https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html
10
11

12 STATEMENT OF FACTS

13 The System is classified as a Transient Non-Community public water system
14 with a population of 113 persons, serving 50 connections. The System
15 operates under Domestic Water Supply Permit Amendment No. 03-23-14P-
16 009, issued by the State Water Board on June 2, 2014.

17
18 CHSC, Section 116555(a)(1) requires all public water systems to comply with
19 primary drinking water standards as defined in CHSC, Section 116275(c).
20 Primary drinking water standards include maximum levels of contaminants
21 and the monitoring and reporting requirements as specified in regulations
22 adopted by the State Water Board that pertain to maximum contaminant
23 levels.

24
25 CCR, Title 22, Section 64421(a)(2), states that each water supplier shall
26 collect routine, repeat and replacement samples as required in Sections
27 64423, 64424 and 64425. Section 64423 states that a water supplier shall
28 collect routine bacteriological water samples based on the known population

1 served or the total number of service connections, whichever results in the
2 greater number of samples.

3
4 CCR, Title 22, Section 64423.1(c), states that analytical results of all required
5 samples collected for a system in a calendar month shall be reported to the
6 State Water Board not later than the tenth day of the following month.

7
8 As of the date of this Citation, the State Water Board has received no results
9 for quarterly bacteriological samples taken during the 3rd quarter and 4th
10 quarter of 2018.

11 DETERMINATION

12 In accordance with CCR, Title 22, Sections 64423 and 64423.1(c), the System
13 was required to collect and report one bacteriological sample each quarter.
14 Therefore, the State Water Board has determined that the System has failed
15 to comply with drinking water standards pursuant to CHSC, Section
16 116555(a)(1) and CCR, Title 22, Sections 64423 and 64423.1(c) during the
17 3rd quarter and 4th quarter of 2018.

18 DIRECTIVES

19
20 The System is hereby directed to take the following actions:

- 21
- 22 1. By **March 31, 2019**, the System shall collect bacteriological samples
23 and report the bacteriological results in accordance with CCR, Title 22,
24 Sections 64423 and 64423.1(c). Monitoring and reporting of
25 bacteriological results shall continue in all future compliance periods.

26
27 On or before **March 15, 2019**, notify all persons served by the System
28 of the violation of CCR, Title 22, Sections 64423 and 64423.1(c), in

conformance with Sections 64463.4(b) and (c) and 64465. Sections 64463.4 and 64465 may be reviewed at https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Lawbook.html.

Appendix 1 Notification Template shall be used to fulfill this directive, unless otherwise approved by the State Water Board. The notification shall be completed in accordance with the following:

- By mail or direct delivery of the Public Notification to each customer served by the water system and;
- By one of the following secondary methods to reach persons not likely to be reached by mail or direct delivery;
 - By publication in a local newspaper, by delivery to community organizations or by posting in conspicuous public places served by the water system or on the internet. If the water system opts to issue the notice via internet website, the public notice shall remain posted for a minimum of seven (7) consecutive days.

2. Complete Appendix 2: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 2 to the State Water Board on or before **March 31, 2019**.

3. All submittals required by this Citation shall be electronically submitted to the State Water Board at the following address:

dwpdist23@waterboards.ca.gov

The subject line for all electronic submittals corresponding to this Citation shall include the following information: Water System name and number, citation number and title of the document being submitted.

1 The State Water Board reserves the right to make such modifications to this
2 Citation as it may deem necessary to protect public health and safety. Such
3 modifications may be issued as amendments to this Citation and shall be
4 effective upon issuance.

5
6 Nothing in this Citation relieves the System of its obligation to meet the
7 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter
8 4, commencing with Section 116270), or any regulation, standard, permit or
9 order issued or adopted thereunder.

10 11 **PARTIES BOUND**

12 This Citation shall apply to and be binding upon the System, its owners,
13 shareholders, officers, directors, agents, employees, contractors, successors,
14 and assignees.


15 **SEVERABILITY**

16 The directives of this Citation are severable, and the System shall comply with
17 each and every provision thereof notwithstanding the effectiveness of any
18 provision.

19 **FURTHER ENFORCEMENT ACTION**

20 The California SDWA authorizes the State Water Board to: issue a citation or
21 order with assessment of administrative penalties to a public water system for
22 violation or continued violation of the requirements of the California SDWA or
23 any regulation, permit, standard, citation, or order issued or adopted
24 thereunder including, but not limited to, failure to correct a violation identified
25 in a citation or compliance order. The California SDWA also authorizes the
26 State Water Board to take action to suspend or revoke a permit that has been
27 issued to a public water system if the public water system has violated
28 applicable law or regulations or has failed to comply with an order of the State

Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.



José A. Robledo, P.E.
Senior Water Resource Control Engineer
Fresno District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

2/19/19
Date



Appendices [2]

1. Notification Template
2. Compliance Certification Form

Certified Mail No. 7016 3010 0000 0446 2178

APPENDIX 1. NOTIFICATION TEMPLATE

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Por favor hable con alguien que lo pueda traducir.

Bacteriological Monitoring and Reporting Requirements

Not Met for Lakeshore Resort

during the 3rd quarter and 4th quarter 2018

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During the 3rd and 4th quarter of 2018, we did not meet any monitoring or reporting requirements for coliform bacteria and therefore cannot be sure of the quality of our drinking water during that time.

What should I do?

- You do not need to boil your water or take other corrective actions.
- The table below lists the contaminant we did not properly test for during those quarters and how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples will be taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples will be taken
Coliform Bacteria	1 sample/quarter	0	Each quarter	

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done? _____

[Describe corrective action] _____

We anticipate resolving the problem within [estimated time frame]

For more information, please contact:

[Name of Contact] _____

[Phone Number] or _____

[Mailing Address] _____

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by Lakeshore Resort in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

State Water System ID: 1000172

Date distributed: _____

APPENDIX 2. COMPLIANCE CERTIFICATION

Citation Number: 03-23-19C-038

Name of Water System: Lakeshore Resort

System Number: 1000172

Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring and reporting violation of California Code of Regulations, Title 22, Sections 64423 and 64423.1(c) for the compliance periods of 3rd quarter and 4th quarter 2018 and the required actions listed below were completed.

Required Action	Date Completed
(Citation Directive 2) Public Notification Method(s) Used: _____	

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system's customers.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,
DIVISION OF DRINKING WATER, NO LATER THAN March 31, 2019**

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.